



# Convention on the Rights of the Child

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Committee on the Rights of the Child

## Report submitted by Liechtenstein under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, due in 2015\*

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\* The present document is being issued without formal editing.



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## I. Foreword

1. This report, which was adopted by the Government of the Principality of Liechtenstein on 17 September 2019, is being submitted under Article 12(1) of the Optional Protocol of 25 May 2000 to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (Optional Protocol, LGBl. 2013 No. 164). The report discusses legislative, administrative, and other measures taken in accordance with the Optional Protocol.
2. The report was prepared by the Office for Foreign Affairs in cooperation with the various offices responsible for specific issues.

## II. Implementation of the Optional Protocol in Liechtenstein

### Article 1

#### *Prohibition*

3. In Liechtenstein, the sale of children, child prostitution, and child pornography are prohibited. In this context, we refer to the following remarks on Articles 2 et seq. of the Optional Protocol.

### Article 2

#### *Definition*

4. The sale of children is classified as “trafficking in human beings” under § 104a(5) of the Criminal Code (StGB, LGBl. 1988 No. 37).<sup>1</sup> Under that provision, “trafficking of a minor person” is understood to mean the recruitment, accommodation, taking in, transport, or passing on of a minor person with the intent that such minor person be exploited sexually, by organ removal, or in terms of their labour. “Passing on” means any form of transfer of a person in which control over that person is transferred in a manner similar to a purchase or barter.
5. Under Liechtenstein criminal law, offences in connection with child prostitution are comprehensively criminalised. For the special protection of minors against sexual exploitation, an offence is defined against promoting and profiting from prostitution (§ 215a StGB). With regard to sanctions and other provisions, please refer to the explanations below on Articles 3 et seq. of the Optional Protocol.
6. With regard to the term “child pornography”, § 219 StGB does not distinguish between real pornography, simulated pornography, and virtual pornography, nor does the criterion of closeness to reality have to be met, which is why forms of representation by means of photographs, slides, other images and films, comics, cartoons, CDs, DVDs, computer games and the like, whether real or created artificially (i.e. on a computer), are covered by the offence of pornographic depictions of minors. The criterion for distinguishing pornographic from non-pornographic images or pictorial representations is that pornographic depictions are reduced to the images themselves and separated from other expressions of life, serving to sexually arouse the spectator. With regard to sanctions and other provisions, please refer to the explanations below on Articles 3 et seq. of the Optional Protocol.

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<sup>1</sup> The references to the Liechtenstein Criminal Code include the amendments tightening sexual criminal law adopted by the Liechtenstein Parliament in February 2019. These amendments entered into force on 1 October 2019.

### Article 3

#### *Minimum requirements for national criminal law*

7. The age of majority in Liechtenstein is 18: According to the Law on Persons and Companies of 20 January 1926 (PGR, LGBI. 1926 No. 4), every person is considered underage and thus a child who has not yet reached the age of 18 (Article 12 PGR). The StGB sets out a more differentiated rule: Any person who has not yet reached the age of 14 is considered underage; any person who has reached the age of 14 but not yet the age of 18 is considered an adolescent; and any person who has not yet reached the age of 18 is considered a minor (StGB § 74(1)(1) to (3)). The Children and Youth Act (KJG, LGBI. 2009 No. 29, Article 5) makes a similar differentiation: Children are defined as persons who have not yet reached the age of 14, and adolescents are defined as persons who have reached the age of 14 but not yet the age of 18. The age of protection in criminal proceedings is 18, so that victims who are minors are granted appropriate protection in criminal proceedings.

#### Paragraph 1 (a)

8. According to § 104a StGB, the recruitment, accommodation, taking in, transport, passing on, or offering of a person is relevant to criminal law where these acts occur with the intent that the victim be exploited by the perpetrator or a third party. Under § 104a StGB, exploitation may refer to sexual exploitation, exploitation by illegal removal of organs, as well as exploitation of labour, exploitation for purposes of begging, as well as exploitation for the commission of punishable acts. “Exploitation” for the purposes of this provision exists whenever there is extensive and sustained suppression of the vital interests of the victim. Because minors are especially worthy of protection as victims, the offences mentioned above apply regardless of whether dishonest means are employed as referred to in § 104a(2) StGB.

9. Since 2009, Liechtenstein has been a State Party to the Hague Convention on Protection of Children and Co-operation in Respect of International Adoption (Hague Adoption Convention, LGBI. 2009 No. 103), according to Article 32 of which no one may derive improper financial or other gain from an activity related to an intercountry adoption. This requirement is implemented in the KJG. According to Article 45(2) KJG, no one may derive improper financial or other gain from an activity related to an intercountry adoption, and only costs and expenses, including reasonable professional fees of persons involved in the adoption, may be charged or paid. The Office of Social Services acts as the central authority.

10. Supplementing the rules set out in the KJG, there is a corresponding penal provision in the Criminal Code: According to § 193a(1) to (3) StGB, anyone shall be punished who effects that a person entitled to give their consent, in return for being granted a benefit to such entitled person or a third party, consents to the adoption of a minor by another person. The sentence may be more severe for perpetrators acting in order to obtain a pecuniary benefit for themselves or a third party. Adopting parents and adopted children between whom the adoption is arranged are not punished as participants.

#### Paragraph 1 (b)

11. As mentioned in point 3, offences relating to child prostitution are comprehensively criminalised in the Criminal Code. According to § 215a StGB, anyone shall be punished who recruits a minor person to engage in prostitution or to participate in a pornographic performance or offers or arranges such minor person to or for a third person for that purpose. It is also punishable to exploit a minor person in order to obtain a pecuniary benefit for oneself or another person, where such minor person engages in prostitution or participates in a pornographic performance. A pecuniary benefit may consist in the payment of money, but also of non-cash value such as room and board.

12. § 214 StGB governs the arrangement of sexual contacts with minors in return for a valuable consideration and serves as a catch-all offence, so that – alongside § 215a StGB – minors are protected from prostitution or exploitation already at an initial stage. If, for example, sexual contact is arranged for free for the purpose of obtaining a pecuniary benefit for oneself, the act may be punishable under § 214 StGB.

13. The procurement or arrangement of a minor for the purpose of sexual acts where a relationship of authority exists is punishable under § 213 StGB. If the perpetrators act in order to obtain a pecuniary benefit for themselves or another person, the sentence may be increased. The term “relationship of authority” is defined in § 212 StGB and refers *inter alia* to a relationship between a person and a minor related in the descending line, an adopted child, a stepchild, or a ward and to any relationship where, by taking advantage of the perpetrator’s position vis-à-vis a minor person that the perpetrator is raising, educating, or supervising, the perpetrator sexually abuses such minor, induces the minor to engage in a sexual act with another person or, for the purpose of sexually arousing or gratifying the perpetrator or a third party, to perform a sexual act on themselves.

14. Likewise, according to § 212 StGB, perpetrators are punishable who, due to their higher function or position vis-à-vis another person, take advantage of their position in order to sexually abuse or perform sexual acts on such other person or to induce the person to perform a sexual act on themselves.

15. Sexual acts with underage persons are to be punished according to §§ 205 and 206 StGB, regardless of whether the underage persons engage in prostitution or not. Likewise, perpetrators are punishable who, for the purpose of sexually arousing themselves or a third party, induce an underage person to perform a sexual act on themselves. The performance of or acquiescence in sexual intercourse or a sexual act equivalent to sexual intercourse is likewise punishable under § 205 StGB.

16. Sexual acts with a person who has not yet reached the age of 16 and who, for certain reasons, is not yet mature enough to comprehend the significance of the act and to act accordingly, are prohibited and punishable under § 208(1) StGB. According to § 208(2) StGB, anyone shall be punished likewise who, in return for a valuable consideration, sexually abuses another person who has not yet reached the age of 18. If the sexual abuse covered by paragraph 1 or 2 consists in sexual intercourse or a sexual act equivalent to sexual intercourse, the perpetrator shall be punished with imprisonment of six months to five years. If the offence referred to in paragraph 1, 2, or 3 results in serious bodily harm (§ 84(1) StGB), the perpetrator shall be punished with imprisonment of one to ten years.

17. § 209a StGB criminalises immoral influence on underage persons as interference with the sexual integrity of the underage victim. Interference giving rise to criminality already arises when sexual acts are performed which, for sexual reasons, take place in the presence of the underage person. The offences must be of some significance with regard to the protected legal interest and must also be perceived by the underage person. § 209 StGB protects underage children from this danger associated with use of the internet by setting out deterrent penalties for persons who, by means of information or communications technologies, suggest personal proximity with an underage person for the purpose of sexually abusing them or producing child pornography. To establish criminality under § 209 StGB, the *mens rea* of the perpetrator (§ 5(1) StGB) directed at commission of offences set out in §§ 205, 206, or 219(1)(1) StGB must have manifested itself in a preparatory act with regard to a meeting with the child. In this context, conceivable acts may include that the perpetrator has already arranged a specific meeting place with the underage victim or promised the underage victim special incentives in the event of a meeting. Criminality does not require that the act be committed intentionally; recklessness in regard to all elements of the offence, which is easier to prove, suffices.

#### Paragraph 1(c)

18. First of all, it should be noted that with regard to the forms of depiction subsumed under the term “child pornography”, § 219 StGB lays down a complete prohibition. § 219(1) and (2) StGB provide for an absolute prohibition on the circulation of pornographic depictions of minors: The offence covers the production, procurement, or possession of pornographic depictions of a minor person as well as the offering, procurement, passing on, presentation, or making accessible of the depiction to another person in any other manner. Under paragraph 2, the production, import, transport, or export of pornographic depictions of minors for the purpose of dissemination, as well as the commission of an act referred to in paragraph 1 on a commercial basis is punishable with imprisonment of up to five years. Moreover, paragraph 4 criminalises knowingly accessing, by means of information or

communications technologies, a pornographic depiction of minors with imprisonment of up to two years. This means that the mere viewing of certain internet content by knowingly accessing relevant websites – without additionally storing that content on data carriers – is already punishable.

19. Although the sexual exploitation of children in the context of travel and tourism is not enumerated as a separate offence in Articles 2 and 3 of the Optional Protocol, this phenomenon is referenced both in the Preamble and in Article 10 of the Optional Protocol, dealing with international cooperation. Sex tourism is directly related to the offences covered by the Optional Protocol, given that it often includes child prostitution and child pornography and may also be related to the sale of children. § 64(1) (4a) StGB (including trafficking in human beings and sexual offences) expressly establishes Liechtenstein jurisdiction for offences covered by the Optional Protocol, even if they are committed abroad. This means that sex tourists are subject to criminal prosecution in Liechtenstein as well if they have made themselves punishable under Liechtenstein criminal provisions. According to § 64(1) (4a) StGB, extraterritorial jurisdiction is exercised with regard to the enumerated offences irrespective of the place where the act is committed if the victim is a Liechtenstein citizen or the victim's place or residence or habitual residence is in Liechtenstein; if the perpetrator was, at the time of the act, a foreign national who is in Liechtenstein and cannot be extradited; or if the act has violated other Liechtenstein interests.

#### Paragraph 2

20. According to § 12 StGB, not only the immediate perpetrator is deemed to commit the offence, but also every person who directs another person to carry out the offence or who otherwise contributes to its being carried out.

21. According to § 15(1) StGB, the penalties provided in the Criminal Code for intentional acts apply not only to a completed act, but also to an attempt and to any participation in an attempt.

#### Paragraph 3

22. Each of the offences described in this report is punishable by an appropriate penalty that also takes the gravity of the offence into account. In this context, please note in particular the penalties under sexual criminal law, which are tiered according to the age of the victim and thus reflect the degree of unlawfulness of the offence.

23. Trafficking in human beings is punishable with imprisonment of up to ten years under § 104a StGB (human trafficking). Unlawful adoption placement under § 193a StGB is punishable with imprisonment of up to two years. If the perpetrator acts in order to obtain a pecuniary benefit for the perpetrator or a third party, the perpetrator shall be punished with imprisonment of up to three years. In the event of abusive adoption placement under Article 45(2) KJG, the licence is withdrawn.

24. Promotion of prostitution and pornographic performances of minors under § 215a (1) StGB is punishable with imprisonment of up to five years. If, according to paragraph 2 of that article, a person commits the act against an underage person, as part of a criminal group, with use of severe force, or in such a manner that the life of the person is intentionally or grossly negligently endangered by the act or that the act results in a particularly severe disadvantage for the person, the punishment is increased to imprisonment of up to ten years. Any person who knowingly attends a pornographic performance in which minors participate shall be punished with imprisonment of up to three years. Arrangement of sexual contacts with minors in return for a valuable consideration under § 214 StGB is punishable with imprisonment of up to five years.

25. Procurement under § 213 StGB is punishable with imprisonment of up to three years. Abuse of a relationship of authority under § 212 StGB is likewise punishable with imprisonment of up to three years. If the act results in serious bodily harm, then the perpetrator shall be punished with imprisonment of up to five years. Sexual abuse of underage persons under § 206 StGB is punishable with imprisonment of up to five years. If the act results in serious bodily harm (§ 84(1)) or if, due to the act, a state of agony is inflicted on the underage person for an extended period of time or if the underage person is especially

degraded, then the perpetrator shall be punished with imprisonment of five to fifteen years, but if the act results in the death of the underage person, the punishment shall be imprisonment of ten to 20 years or for life. Sexual abuse of underage persons under § 208 StGB is punishable with imprisonment of up to five years. If the act results in serious bodily harm, then the perpetrator shall be punished with imprisonment of one to ten years.

26. Pornographic depictions of minors under § 219 StGB is punishable with imprisonment of up to ten years. If the act is committed for the purpose of dissemination, it is punishable with imprisonment of up to five years. If the act is committed as a member of a criminal group, or in such a manner that it results in a particularly severe disadvantage to the minor, or if the depiction is produced with use of severe force, or if the life of the depicted minor is grossly negligently endangered, the punishment shall be imprisonment of up to ten years. Any person who by means of information or communications technologies knowingly accesses a pornographic depiction of minors shall be punished with imprisonment of up to two years.

#### Paragraph 4

27. Liechtenstein provides for the liability of legal persons under criminal law. The section on liability of legal persons (§§ 74a to 74g StGB) defines the addressees, the scope of application and validity, as well as the preconditions for the liability of legal persons and the imposable penalties. Pursuant to § 74a StGB, to the extent they are not acting in enforcement of the laws, legal persons are liable for any misdemeanours and crimes committed by managers unlawfully and culpably in their capacity in the performance of business activities and within the framework of the purpose of the legal person. The general criminal laws apply *mutatis mutandis* also to legal persons, unless they are applicable exclusively to natural persons (§ 74g StGB).

28. Additionally, Article 124 PGR provides for the withdrawal of legal capacity and the dissolution of legal persons that pursue an unlawful or immoral purpose. The offences enumerated in the Optional Protocol are always deemed unlawful and immoral.

29. Moreover, Article 971(1)(5) PGR provides that the dissolution of a legal person is possible *ex officio* if the legal person damages Liechtenstein's national interest, is detrimental to the reputation of the country, or disrupts Liechtenstein's relations with other countries or international organisations. Performance of the offences enumerated in the Optional Protocol could fall under one or more of these preconditions for the dissolution of a legal person. Decisions in this regard are made by the Government.

#### Paragraph 5

30. Liechtenstein is a State Party to The Hague Adoption Convention. As part of the comprehensive revision of the KJG in 2008, legal rules were established for the adoption of children from abroad. The provisions apply to adoptions of children from States Parties to The Hague Adoption Convention as well as from States not party to the Convention. The rules set out in the KJG (Articles 35 to 48 KJG), in conjunction with the provision in the Criminal Code on unlawful adoption placements (§ 193a StGB), were expressly designed in such a way that the obligations of The Hague Adoption Convention are fulfilled. The Office of Social Services acts as the central authority as referred to in Article 6(1) of The Hague Adoption Convention and in that capacity supervises adoption placement.

## Article 4

### *Jurisdiction rules*

#### Paragraph 1

31. According to §§ 62 and 63 of the Criminal Code, Liechtenstein criminal law applies to all acts committed in Liechtenstein or on board a Liechtenstein ship or aircraft.

#### Paragraph 2

32. With regard to the offences enumerated in § 64(1) (4a), those cases are covered in which the perpetrator or the victim is a Liechtenstein citizen or the perpetrator's or victim's place of residence or habitual abode is in Liechtenstein, in which the act has violated other Liechtenstein interests, or in which the perpetrator at the time of the act was a foreign national who is in Liechtenstein and cannot be extradited.

33. The catalogue of offences set out in § 64(1) (4a) StGB encompasses genital mutilation as defined by § 90(3), extortionate kidnapping (§ 102), delivery to a foreign power (§ 103), slave trade (§ 104), trafficking in human beings (§ 104a), aggravated coercion as defined by § 106(1)(3), forced marriage (§ 106a), unlawful adoption placements (§ 193a), rape (§ 200), sexual assault (§ 201), sexual harassment of underage persons as defined by § 203(2), sexual abuse of a defenceless or mentally impaired person (§ 204), aggravated sexual abuse of underage persons (§ 205), sexual abuse of underage persons (§ 206), endangerment of the morals of underage persons or adolescents (§ 207), sexual abuse of minors (§ 208), initiation of sexual contacts with underage persons (§ 209), immoral influence on underage persons (§ 209a), abuse of a relationship of authority as defined by § 212(1), arrangement of sexual contacts with minors in return for a valuable consideration (§ 214), promotion of prostitution and pornographic performances of minors (§ 215a), cross-border trafficking in prostitution (§ 217) and pornographic depictions of minors (§ 219).

#### Paragraph 3

34. According to § 65(1)(1) StGB, the Liechtenstein criminal laws apply to acts other than those referred to in §§ 63 and 64 StGB that have been committed abroad, provided that the acts also carry a penalty under the laws of the place where they are committed, if the perpetrator was a Liechtenstein citizen at the time of the act or acquired Liechtenstein citizenship at a later point in time and still holds it at the time the criminal proceedings are initiated, or, according to § 65(1)(2) StGB for offences committed abroad, if the act was committed by a foreign national who is apprehended in Liechtenstein and cannot be extradited abroad for reasons other than the type or nature of the act.

### **Article 5**

#### *Extradition*

##### Paragraph 1

35. The extradition of persons in Liechtenstein is governed by the Law of 15 September 2000 on International Mutual Legal Assistance in Criminal Matters (Mutual Legal Assistance Act, RHG, LGBI. 2000 No. 215). The RHG applies unless otherwise provided for in international agreements (Article 1 RHG). This provision is therefore implemented in Liechtenstein.

##### Paragraph 2

36. Because extradition may take place in Liechtenstein without the existence of an extradition treaty, on the basis of the Mutual Legal Assistance Act, Article 5(2) of the Optional Protocol is implemented in Liechtenstein.

##### Paragraph 3

37. The Liechtenstein provisions concerning the permissibility of extradition are set out in Articles 10 to 25 RHG. Article 11(1) RHG defines the types of offences for which extradition may in principle take place: Extradition is permissible for acts committed wilfully which are sanctioned, under the law of the State making the request, with imprisonment of more than one year or with a preventive measure of the same duration, and, under Liechtenstein law, with imprisonment of more than one year. The latter applies to all offences covered by the Optional Protocol, i.e. they are extraditable under Liechtenstein law with the proviso that the requesting State provides for a corresponding custodial sentence.



## Paragraph 4

38. Liechtenstein has extraterritorial jurisdiction for the offences referred to in Article 3(1) of the Optional Protocol.

## Paragraph 5

39. According to Article 12(1) RHG, Liechtenstein law permits the extradition of Liechtenstein nationals only if written consent has been given by the person concerned. It would therefore be possible for a Liechtenstein perpetrator to refuse to give consent to extradition and therefore not to be extradited. On the basis of §§ 64(1)(4a) and 65(1)(1) StGB, domestic jurisdiction is available for the offences set out in the Optional Protocol where no extradition occurs, i.e., criminal proceedings would be instituted.

## Article 6

### *Mutual legal assistance*

## Paragraph 1

40. Liechtenstein provides mutual legal assistance on the basis of the RHG, which, according to Article 1 RHG applies unless otherwise provided for in international agreements. Liechtenstein is also a party to the European Convention on Mutual Assistance in Criminal Matters (LGBI. 170 No. 30), on the basis of which mutual legal assistance can also be provided. The central authority in Liechtenstein responsible for receiving and transmitting requests for legal assistance is the Office of Justice.

41. According to Article 25 RHG, it is also permissible in connection with an extradition to hand over objects which may be used as evidence or which were obtained by the person to be extradited through the offence or by realising the objects originating from that act. Handing over is impermissible, however, if it is to be feared that such handing over would obstruct or disproportionately impede the pursuit or realisation of the rights of third parties.

## Paragraph 2

42. In cases where there is no bilateral or multilateral international treaty between Liechtenstein and another country, the Mutual Legal Assistance Act applies. According to Article 3(1) RHG, mutual legal assistance may be provided on the basis of the assurance of reciprocity.

## Article 7

### *Seizure and confiscation*

## Subparagraph (a)

43. § 26 StGB governs the confiscation of objects used by the perpetrator to commit an act carrying a penalty, objects intended to be used to commit an offence, or objects obtained from an offence. Under § 26(3) StGB, objects may be confiscated even if no particular person can be prosecuted or convicted for the act carrying a penalty. Forfeiture under § 20(1) StGB makes it possible to deprive the perpetrator of any assets obtained for or through the commission of a punishable act. § 20b(2) StGB provides for extended forfeiture in the case of suspected proceeds relating to a crime.

## Subparagraph (b)

44. In Liechtenstein, it is possible for the courts to secure instrumentalities and to freeze assets (preventive measures in ongoing proceedings) as well as to confiscate instrumentalities and impose asset forfeiture (once a judgment has been rendered) on the basis of the RHG in the absence of a treaty basis and reciprocity. According to Article 50(1) RHG, mutual legal assistance in criminal matters must be provided to a foreign authority, including proceedings

for the ordering of preventive measures, which may also include § 26 StGB (confiscation of objects). Foreign civil proceedings for the pronouncing of a pecuniary order within the meaning of §§ 20 and 20b of the Criminal Code are deemed a criminal matter under Article 50(1a) RHG. This means that mutual legal assistance can also be provided to foreign authorities regarding the confiscation of assets obtained by the perpetrator through criminal offences.

#### Subparagraph (c)

45. According to Article 9(3) of the Code of Criminal Procedure (StPO, LGBl. 1988 No. 62) the National Police has authority – on its own initiative or on the basis of an order – to close facilities by applying a seal or to close off crime scenes in order to prevent access by unauthorised persons. Moreover, a business licence may be withdrawn under Article 19(a) of the Business Act (GewG, LGBl. 2006 No. 184) if an owner of a business carries out an illegal activity alongside the permissible business activities. Once the licence has been withdrawn, the closure of the business may be ordered in accordance with Article 29a GewG.

46. Article 124(2) PGR provides the possibility of taking precautionary measures to prevent further unlawfulness prior to the final decision to dissolve a legal person. Such precautionary measures also include the cessation of business operations or the closure of premises.

## Article 8

### *Protection of victims*

#### Paragraph 1(a)

47. The core of Liechtenstein's victim protection provisions is the gentle and considerate questioning of witnesses, taking account of the vulnerability of child victims. According to § 115a(3) StPO, persons who have not yet reached the age of 18 years and whose sexual integrity may have been violated by the offence which the accused is charged with shall always be examined by the court in a gentle and considerate manner. Persons in general who have not turned 18 at the time of their questioning shall be heard in a gentle manner at their request. According to § 115a(2) StPO, gentle examination means that participation in the examination is limited insofar as the parties and their representatives may follow the questioning of child witnesses using technical equipment for audio and video transmission and may exercise their right to ask questions in that way. The goal is to avoid an encounter between the witness and the accused. Gentle examination is not limited to preliminary proceedings; it can be extended to the trial under § 197(3) StPO.

48. The exemption from the obligation to testify pursuant to § 107(1)(2) StPO corresponds to the right to a gentle examination. This applies to victims of offences who are not yet 18 years of age and who may have been injured by the offence which the accused is charged with or whose sexual integrity may have been violated, provided that the parties had the opportunity to participate in the previous hearing. Accordingly, child victims are questioned only once by the court about the offence, and the psychological burden of repeated questioning can be avoided.

49. An additional gentle effect in the questioning of minor witnesses arises from the possibility of mandating experts to carry out the examination as referred to in § 115a(1) StPO. Thanks to their training and professional experience, these experts are in a position to communicate in a manner appropriate to children and to design the examination in such a way that the emotional burden on the child victim is kept to a minimum. Moreover, § 115(3) StPO provides for a person of confidence of the child to be brought in for the examination of minors.

#### Paragraph 1(b)

50. According to § 31b StPO, there is a general obligation on the part of the authorities operating in criminal proceedings to instruct victims, extending to all rights to which victims

are entitled in the criminal proceedings. This may be refrained from only as long as this would endanger the purpose of the investigation. Victims whose sexual integrity may have been violated shall, at the latest before their first examination, be informed of:

- The preconditions for assistance by the Victims Assistance Office;
- The right of victims to relative refusal of testimony with regard to details of the offence as they consider to be unacceptable for them to tell about;
- Gentle and considerate examination in the investigation proceedings;
- The exclusion of the public from the trial (§ 31b(2) and (3) StPO).

51. According to § 107(4) StPO, the age and condition of the witness must be taken into account in regard to the instruction, and the instruction may also be performed by an expert.

52. The Law of 22 June 2007 on Assistance to Victims of Offences (Victims Assistance Act, OHG, LGBl. 2007 No. 228) contains an obligation to provide instruction on the available rights of victims (Article 8(2) OHG), especially on the part of the National Police, the Court of Justice, and the Office of the Public Prosecutor. According to Article 8(1) OHG, the victims must be informed of the address and responsibilities of the Victims Assistance Office, the option of availing themselves of various victims assistance services, and the deadline for submitting applications for damages.

53. Victims also have the right to be informed of the subject of the proceedings, their essential rights, and the progress of the proceedings (§ 31a(1)(3) and (4) StPO). According to § 141(7) StPO, victims of domestic violence as well as victims whose sexual integrity may have been violated by the offence shall be informed of any release of the accused before the judgment in the trial court has been rendered. According to § 214(1) StPO, the judgment shall be announced in a public hearing and in the presence of the parties immediately after it has been rendered or, if this is not possible, on a date to be announced (paragraph 5). The judgment must be announced with a brief summary of the rationales and referring to the provisions of the law that have been applied. Defendants must be instructed on their rights to appeal.

#### Paragraph 1(c)

54. According to Article 3(1)(d) KJG, children have the right to be heard in decisions concerning them, in particular in judicial and administrative proceedings, to the extent they are able to express their own opinion, and their opinion must be taken into account according to their age and maturity. According to the provisions of the Code of Criminal Procedure, victims have the right to be heard concerning their claims (§ 31a(1)(7) StPO) and, as civil claimants, to apply for certain evidence to be taken (§ 32(2)(1) StPO). It makes no difference whether victims express themselves directly or through a representative, since the latter exercises the same procedural rights as the person represented, unless the law provides otherwise (§ 34(1) StPO).

55. The presentation and examination of the views, needs, and concerns of minor victims is governed by the Victims Assistance Act. A Victims Assistance Office, which is independent of instructions, has been established at the Office of Justice to carry out victims assistance. If the psychological, mental, or sexual integrity of a minor victim or other minor person is at serious risk, the Victims Assistance Office may inform the guardianship authority or report the case to the prosecution authorities without prejudice to notification duties under other laws (Article 11(3) OHG).

#### Paragraph 1(d)

56. Where necessary, the Victims Assistance Office shall arrange for victims to be accompanied or to be represented by authorised persons in court pursuant to Article 12(2) OHG. Pursuant to Article 25(1) OHG, the victim and the victim's family members incur no fees or other charges in proceedings under the OHG. The judicial and other administrative proceedings resulting from the offence are also free of fees and other charges, provided that the envisaged legal proceedings are not manifestly wanton or futile (Article 25(2) OHG). According to § 31a StPO, the victims are entitled to be advised, assisted, accompanied for

questioning in the investigation proceedings and at trial by the Victims Assistance Office, and represented in the exercise of their rights. The services provided by the Victims Assistance Office include appropriate medical, psychological, social, material, and legal assistance (Article 14(1) OHG). Victims also receive translation assistance (§ 31a(1)(5) StPO) and, under certain conditions, they are entitled to legal aid in the form of legal aid counsel (§ 32(3) StPO).

#### Paragraph 1(e)

57. § 31c StPO takes into account the particular need to protect the personal sphere of injured parties in criminal proceedings. § 31c(1) StPO imposes a special duty of care on prosecution authorities vis-à-vis injured parties in order to avoid, as far as possible, adverse effects on the most personal sphere of life. This concerns in particular the forwarding of photographs and of personal information that may lead to the injured party's identity becoming known to a larger group of persons. §§ 31c(2) and 30a StPO set out a prohibition on the publication of information obtained within the framework of criminal prosecution, as far as such information contains personal data of other participants of the proceedings or of third parties and has not appeared in any public hearing or otherwise become known to the public.

58. For the protection of the personal sphere, § 108(2)(2) StPO gives victims of violent sexual offences a relative right to refuse to testify, which means that they do not need to provide answers to questions concerning details of the offence which they consider to be unacceptable for them to tell about, unless their testimony is indispensable to the subject of the proceedings (§ 108(4) StPO). As a further instrument for the protection of the personal sphere of witnesses, the court may, pursuant to § 119(1) StPO, be provided with another suitable address for summons instead of the place of residence. Moreover, more detailed questions about the person must, in accordance with the principle of discretion, be handled in such a way that the information does not become publicly known. No questions on circumstances from the witness's most personal sphere of life shall be asked, unless this seems to be absolutely indispensable under the special circumstances of the case (§ 119(2) StPO).

59. §§ 181a-d StPO govern the exclusion of the public from a trial. Before discussing circumstances from the personal sphere or from the sphere of secrecy of the defendant, any witness, or any third party, or before examining a witness whose personal information is to remain undisclosed under § 119a StPO, the tribunal shall exclude the public *ex officio* or on application if legitimate interests prevail (§ 181a(2) StPO). Under (§ 181a(1) StPO, the public may be excluded from a trial only for reasons of decency and public order. As far as the public has been excluded from a hearing, it is prohibited to publish any notice from such hearing, and the persons present may be obligated to keep all facts secret (§ 181c StPO). Moreover, pursuant to § 181(4) StPO, television and radio recordings and broadcasts as well as film recordings and photographs of court hearings are not permissible, so as to protect the participants in the criminal trial.

60. The option also exists of restricting the accused's access to the files, insofar as personal data or circumstances that permit the drawing of conclusions about the highly personal circumstances of the endangered person can be excluded from such access (§ 30(2) StPO).

#### Paragraph 1(f)

61. For the purpose of witness protection, § 119a StPO provides the option for witnesses in need of protection to conceal their personal circumstances from the court and not answer questions concerning their personal circumstances. To receive this protection, witnesses must demonstrate the existence of a significant risk situation (danger to life, limb, physical integrity, or freedom). Moreover, the court is in principle free to dispense with the testimony entirely if there is a serious fear that witnesses might endanger their lives as a result of truthful testimony. Where necessary, the Victims Assistance Office can also provide emergency accommodation (Article 14 OHG). With the amendments to the Police Act (PoIG, LGBl. 1989 No. 48) and the Criminal Code that entered into force in July 2014, new rules governing

extrajudicial protection of witnesses and leniency for principal witnesses were introduced, further strengthening witness protection and prosecution options.

#### Paragraph 1(g)

62. Under Article 18(1) and §§ 1325 et seq. of the General Civil Code (ABGB, LGBI. 1003 No. 1), victims and their family members are entitled to compensation for damages. The ABGB also emphasises that anyone who criminally or otherwise abuses someone by deceit, threat, or exploitation of a relationship of dependence or authority to sexual intercourse or other sexual acts must compensate the victim for the damage suffered and provide full satisfaction (§ 1328 ABGB). The perpetrator is in principle liable for damages. If, for certain reasons, the perpetrator cannot be held accountable, e.g. if the perpetrator is deceased or due to massive domestic violence, etc., a claim for damages under Article 23 OHG may be submitted in writing to the Victims Assistance Office. After examining the claim, the Victims Assistance Office forwards the application without delay to the Government, which decides on the claim for damages.

#### Paragraph 2

63. Following the principle of mandatory prosecution, the Liechtenstein Office of the Public Prosecutor examines all reports it receives of criminal offences subject to *ex officio* prosecution. This includes the offences covered by the Optional Protocol. If it is unclear whether a victim is a minor, i.e. has not yet reached the age of 18, the Liechtenstein National Police assumes that the victim is a minor and takes appropriate precautions. Moreover, prosecutors may also have provisional inquiries conducted in order to obtain the necessary reference points for initiating criminal proceedings against a specific person or for the complaint to be set aside (§ 21a (1) StPO). After examining the complaint or the files of the provisional inquiry, the Office of the Public Prosecutor decides whether to initiate criminal proceedings (§ 22 (1) StPO).

#### Paragraph 3

64. The Children and Youth Act (KJG) created the basis for establishing the office of the Ombudsperson for Children and Young People. The ombudsperson is a neutral, universally accessible contact and complaints office for children, young people, and also adults. The services of the Ombudsperson are free of charge. The Ombuds Office for Children and Young People (OSKJ) has primary responsibility for publicising and monitoring implementation of the rights of the child. The ombudsperson represents the interests of children and young people before courts, national and municipal authorities, public and private institutions, and organisations by submitting complaints, suggestions, and petitions. For instance, it would also become active if children and young people complain about their treatment by the courts. However, the ombudsperson does not act as a party to any proceedings.

#### Paragraph 4

65. The Expert Group against the Sexual Abuse of Children and Young People, which was appointed in 1999, issued Guidelines for Professional Cooperation in Cases of Sexual Abuse of Children and Young People in 2004, which serve as a national strategy. Pursuant to its Government mandate, the Expert Group performs a variety of tasks, including continuing education opportunities for specialists. The Expert Group regularly offers training events that contribute to raising awareness and professionalising the handling of cases of suspected sexual abuse of children. The events target a wide range of specialists (Court of Justice, Office of the Public Prosecutor, National Police, Office of Social Services, Office of Education, counselling offices, independent psychotherapists, etc.). As part of its information and awareness-raising work, the Expert Group provides information on options for reporting suspected cases. The Expert Group regularly communicates with teachers at kindergartens and schools as well as with clubs and associations, sensitises specialists to signals from affected children, and provides information on procedures.

66. At the Liechtenstein National Police, one female and one male criminal police officer specialise in cases where children and adolescents have become victims of sexual assault. These police officers have completed special training in the questioning of victims who are

minors. They participate in special training courses in Liechtenstein and abroad and are members of the Sexual Offences Working Group of Eastern Switzerland. This working group also carries out case conferences and discusses appropriate approaches to take when dealing with minors who are victims of sexual abuse.

#### Paragraph 5

67. In this connection, please refer also to Article 1(3) OHG, which entitles persons and their family members to victims assistance whose physical and mental integrity has been directly impaired as a result of assistance or attempted assistance given to victims.

#### Paragraph 6

68. The StPO expressly aims for an appropriate balance between the accused's rights of defence and the provisions on the protection of victims.

## Article 9

### *Prevention, information, and rehabilitation*

#### Paragraph 1

69. With the creation of the KJG in 2008, the ratification of the Hague Adoption Convention in 2009, and the Council of Europe Convention of 25 October 2007 on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention), which entered into force on 1 January 2016 (LGBl. 2015 No. 255), Liechtenstein has taken numerous measures to improve the protection of children. Moreover, Liechtenstein fundamentally revised its sexual criminal law in 2011 (LGBl. 2011 No. 184). This revision extends victim protection under substantive law, introduces new definitions of offences, expands existing definitions, and strengthens the role of prevention.

70. In principle, every public authority in Liechtenstein which learns of the suspicion of a punishable act that concerns its legal sphere of activity and is subject to *ex officio* prosecution is under the obligation of filing a criminal complaint with the Office of the Public Prosecutor or the National Police (§ 53 (1) StPO). Moreover, the authority must do everything necessary to protect the injured person or other persons from danger (§ 53(3) StPO). Article 20(1) KJG obliges persons who have a well-founded suspicion of a serious violation or endangerment of the welfare of children and young people, or knowledge of such suspicion, to report that suspicion to the Office of Social Services. Alongside abuse and other serious uses of violence, gross neglect, the threat of forced marriage, squalor and addiction, sexual abuse is expressly enumerated as a case of serious violation or endangerment of the welfare of children and young people.

71. Anyone who does not comply with the duty to report a suspicion is liable to prosecution (Article 101(b) KJG). Anyone who has a well-founded suspicion or knowledge of a less serious violation or endangerment of the welfare of children and young people is entitled to report this to the Office of Social Services (Article 20 (2) KJG). Persons who are subject to official or professional secrecy are released from that obligation in regard to the duty and right to report under Article 20 KJG (Article 22 KJG). In Liechtenstein, the Office of Social Services and the Expert Group against the Sexual Abuse of Children and Young People are responsible within their own spheres of competence for coordination between the authorities and the various partners tasked with the protection of children and the prevention and combating of sexual exploitation and sexual abuse.

72. The Expert Group against the Sexual Abuse of Children and Young People plays a key role in this regard. The Expert Group was set up by the Government in 1999, constituting an interdisciplinary body from the fields of psychology and medicine. The Expert Group is not only an anonymous contact point for specialists and affected persons, but also offers counselling, helps to clarify suspected cases, arranges therapies, supports specialists with information and advice, and organises continuing training events.

73. With the creation of an independent human rights institution in Liechtenstein on the basis of the Paris Principles, the Liechtenstein Government has taken up the demand of civil society as well as various UN and Council of Europe bodies for an independent contact and advisory centre for the promotion and protection of human rights. The Liechtenstein Human Rights Association (VMR) receives State subsidies for the independent performance of its tasks. The institution is regarded as an important achievement to ensure comprehensive human rights protection in Liechtenstein, creating essential added value in this area. The VMR advises private individuals in Liechtenstein on human rights issues, supports victims of human rights violations, and informs the public about the human rights situation in Liechtenstein. As part of these core competencies, children and young people can also approach the VMR for information about possible legal action. The OSKJ is part of the VMR. The OSKJ's legal mandate includes the operation of a contact and complaints office for child and youth issues that is available to adults as well as children and young people; monitoring implementation of the UN Convention on the Rights of the Child in the Principality of Liechtenstein; and public outreach within its areas of responsibility. The OSKJ also coordinates the Liechtenstein Children's Lobby, a networking group, which is composed of representatives of institutions active in the field of children and young people. The members of the Children's Lobby meet four times a year for a joint exchange and coordination of activities. Each year, the Children's Lobby also selects a theme from the UN Convention on the Rights of the Child and incorporates this theme into its events.

#### Paragraph 2

74. The Expert Group against the Sexual Abuse of Children and Young People is dedicated to topic-specific public outreach, raising the public's awareness of the sexual exploitation and sexual abuse of children and young people. The measures taken by the Expert Group include publishing newspaper articles and activity reports, inviting the media to continuing education events, distributing flyers, and maintaining a website ([www.stopkindsmissbrauch.li](http://www.stopkindsmissbrauch.li)).

75. The Bureau for Sexual Matters and HIV Prevention is an institution whose sexual education work provides young people with the knowledge to engage in self-determined and responsible sexual behaviour. The Bureau advises and supports families in their approach to sexual education, and it promotes the principles of sexual education at educational and extracurricular institutions that work with children and young people. With these activities, the Bureau also makes an important contribution to the prevention of sexual violence.

76. In recent years, the Office of Social Services has likewise addressed the danger of sexual abuse of children and young people as well as child pornography as part of its projects dealing with new media. The brochures published by the Office of Social Services, "Talking to children about digital media!" (<http://www.llv.li/files/asd/medien-primar-web-2016.pdf>) and "Talking to young people about social media!" (<http://www.llv.li/files/asd/medien-sekundaer-web-2016.pdf>) give parents tips and information on how children and young people can engage in responsible media use. The brochures discuss topics such as sexting, cybergrooming, and the treatment of personal data. The "freelance" prevention programme ([www.be-freelance.net](http://www.be-freelance.net)) under the aegis of the specialised prevention offices of nine Swiss cantons and Liechtenstein offers teaching materials for secondary schools. Its digital media package includes materials for teaching units on cybergrooming and sexting. The learning objectives are to provide information and to raise awareness about these issues.

77. Already in school, children and young people are supported in their development of an autonomous and responsible sexuality in an age-appropriate way. Learning objectives are set out in the national curriculum. By engaging with topics such as physical self-determination and development, friendship and love, the goal is for children and young people to learn how to express their feelings and needs in a self-confident way and to understand and establish boundaries. Important support for schools, teachers, children, and young people is provided by the network of school social workers, school psychologists and the Centre for School Media. A current project of school social work is the media prevention campaign "angedlickt" ([www.angedlickt.li](http://www.angedlickt.li)).

78. In order to better protect children against sexual violence, the interactive prevention project "My Body Belongs to Me!", developed by the Swiss Child Protection Foundation, is

offered by the Office of Education to the pupils in the third year of the Liechtenstein primary schools on a permanent basis. The Sophie von Liechtenstein Foundation is active in the areas of sexual education and pregnancy counselling. The foundation was established in 2006 by the Princely House of Liechtenstein. It is financed by funds from the Princely House and donations. “love.li” is the foundation’s sexual education office that offers advice and help to children and young people – and thus also to girls and young women in Liechtenstein and the region – on questions of their sexuality. It also organises regular workshops on sexuality for students. The foundation runs the “schwanger.li” counselling office, which advises and supports pregnant women in Liechtenstein and the region, if necessary also for the longer term. The counselling centres of schwanger.li provide counselling especially in cases of strain, worry, and stress of the expectant mother, her partner, and family; unwanted pregnancy; prenatal examinations; miscarriages and stillbirths; postpartum depression; and terminations of pregnancy. In addition to these counselling services, schwanger.li’s counselling centres and experienced midwives provide information on the rights of pregnant women under labour law, financial matters relating to pregnancy and childbirth, the promotion of families, professional re-entry and childcare, as well as support services provided by midwives. The consultations do not prejudge the results and aim to pave the way for self-determined decisions. There is also the possibility of anonymous online counselling.

79. In the field of sexual education, the Bureau for Sexual Matters (fa6) also offers counselling, lectures, and workshops and works closely together with schools. The associations “NetzWerk” and “aha – Youth Information Liechtenstein” likewise support schools in the field of prevention and sexual education. Also noteworthy is the association “kinderschutz.li”, which had its origins in a parents’ association and is dedicated to the prevention of violence, bullying, and abuse. In cooperation with specialists, it offers workshops for children, parents, and teachers. An Expert Group for Media Literacy was also established in 2014, serving as a contact point for new media and related phenomena ([www.medienkompetenz.li](http://www.medienkompetenz.li)). The Expert Group was appointed by the Government, with substantive and strategic supervision by the Commission on Addiction.

#### Paragraph 3

80. In addition to counselling and supporting the victims and their family members with regard to criminal proceedings pursuant to Article 12 OHG, the Victims Assistance Office provides the medical, psychological, social, material, and legal assistance required in individual cases pursuant to Article 14(1) OHG, as already mentioned above. On the one hand, the Victims Assistance Office provides assistance around the clock in accordance with Article 13 OHG for the most urgent needs arising as a result of the criminal offence (urgent assistance), and on the other hand it provides additional assistance until the health condition of the person concerned has stabilised and until the other consequences of the offence have been eliminated or compensated as far as possible (longer-term assistance).

81. If a victim does not receive compensation for damages from either the perpetrator or third parties (e.g. insurers), Articles 18-24 provide that the victim be paid compensation from the State for the material and non-material damages suffered. In the interest of comprehensive victim protection, compensation for non-material damages expresses the community’s recognition of the victim’s difficult situation and, in particular, takes account of the interests of victims of sexual offences, who as a rule suffer hardly any material damages but usually grave non-material damages. In contrast to compensation for financial damages, non-material compensation is not dependent on the victim’s income. The deadline for submitting the application is five years, starting from the age of 18 – i.e. the age of majority in the case of minors.

#### Paragraph 4

82. Legal aid pursuant to Article 25 OHG provides that the victim and the victim’s family members are exempt from legal costs and fees in proceedings under the OHG and in judicial and other administrative proceedings resulting from the offence. In addition, they are entitled to legal aid counsel in such proceedings. This is intended to help the victim to assert the claims against the perpetrator or against an insurer, for instance. According to § 32(1) StPO,



the victim has the right to join the criminal proceedings for claims under private law, thereby becoming a civil claimant. The victim may otherwise pursue claims in civil proceedings.

#### Paragraph 5

83. According to § 281 StGB, anyone who, in a printed work, on the radio, on television, or in any other manner that makes it accessible to the general public, incites to general disobedience of a law is punishable in Liechtenstein. This means it is a punishable offence to call for a certain law to be disregarded, without regard to motive. Anyone who, in the same way, incites to commit an act carrying a penalty, is punishable under § 282(1) StGB. This means that advertising an offence covered by the Optional Protocol is prohibited in Liechtenstein.

84. Moreover, § 218a StGB prohibits the dissemination, passing on, offering, display, or otherwise making accessible of pornographic written materials, audio or video recordings, images, other objects of this kind or pornographic presentations of a person, if that person has not yet reached the age of 16.

## Article 10

### *International cooperation*

#### Paragraphs 1–4

85. Liechtenstein is a member of numerous international agreements that strengthen the rights of the child and also seek to prevent the sale of children, child prostitution, and child pornography. These agreements include the Convention on the Rights of the Child (LGBI. 1996 No. 163), the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (LGBI. 2005 No. 26), the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (LGBI. 2013 No. 164), the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure (LGBI. 2017 No. 31), as well as the United Nations Convention against Transnational Organised Crime (LGBI. 2008 No. 74) and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

86. Liechtenstein is also a member of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (LGBI. 2015 No. 255), the Council of Europe Convention on the Adoption of Children (LGBI. 1981 No. 58), the Council of Europe Convention on the Legal Status of Children born out of Wedlock (LGBI. 1997 No. 109), the Council of Europe Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children (LGBI. 1997 No. 110), the Hague Convention on the Recognition and Enforcement of Decisions relating to Maintenance Obligations in Respect of Children (LGBI. 1972 No. 55), the Hague Convention on the Law Applicable to Maintenance Obligations towards Children (LGBI. 1973 No. 12), and the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (LGBI. 2009 No. 103).

87. Pursuant to Article 2(1)(k) PolG, the Liechtenstein National Police performs the duties of a National Central Bureau as set out in the Constitution of the International Criminal Police Organization (INTERPOL). Cooperation via INTERPOL is of great relevance in daily police cooperation. Liechtenstein's accession to the Schengen Agreement on 19 December 2011 led to a further expansion of international and especially European police cooperation. Already since mid-2011, the National Police has worked together at the operational level with the Schengen Information System (SIS). As part of Liechtenstein's preparations for accession to Schengen, a single point of contact was established for all international police cooperation channels, in particular for the exchange of information. Within the SIS, the National Police serves as a contact, coordination, and consultation office pursuant to Article 2(1)(n) PolG.

88. In addition, Article 2(1)(o) PolG provides that the National Police acts as the National Contact Point for the European Police Office (EUROPOL) and is responsible for implementation of the Agreement of 7 June 2013 on Operational and Strategic Co-operation between the Principality of Liechtenstein and the European Police Office (LGBI. 2013 No. 405). Since 2001, the National Police has dealt with the issue of internet surveillance and maintains a specialised unit for the investigation of computer and internet offences, some of which also cover offences described in Article 3 of the Optional Protocol, and has been connected to the G7 24/7 Network of Contact Points to combat cybercrime since summer 2008. To identify victims of child pornography, the National Police works together with the Swiss Federal Office of Police on the basis of the Trilateral Police Cooperation Agreement Liechtenstein-Switzerland-Austria (LGBI. 2001 No. 122, now LGBI. 2017 No. 186). To identify a victim of child pornography, the National Police sends the material to the experts of the Federal Criminal Police, who are able to access the International Child Sexual Exploitation Database (ICSE DB) at the General Secretariat of INTERPOL. The secured images are stored in the database and compared with the images available worldwide. It is immediately evident whether the victims are known anywhere in the world and where information on the current status of the investigations may be available.

89. The rule of law and the protection of fundamental rights are the leitmotifs of Liechtenstein foreign policy. Liechtenstein is committed to the further development and improved application of international law and human rights in particular. One of Liechtenstein's focuses is on the rights of children. Special attention is paid to the protection of children in armed conflicts, the fight against the recruitment of child soldiers, and the protection of children against sexual violence. The content of the Optional Protocol is thus of great importance to Liechtenstein foreign policy.

90. International solidarity is one of the central pillars of Liechtenstein's foreign policy. Reducing extreme poverty and economic underdevelopment, which are among the root causes of commercial sexual exploitation of children, is included among the overarching goals of Liechtenstein's International Humanitarian Cooperation and Development (IHCD). In addition to general efforts to combat poverty and underdevelopment, Liechtenstein also funds projects through IHCD to directly prevent the sale and sexual exploitation of children. In recent years, further projects have been supported within the framework of the Council of Europe and the OSCE as well as in cooperation with NGOs. Of special note is a *Terre des hommes* project in Burkina Faso funded by the Liechtenstein Development Service (LED), offering schooling and vocational training to victims of child labour and child trafficking. The goal is to set up an integrated system that accompanies children in a protective way, contributing to a more effective fight against child exploitation in Burkina Faso.

91. Another area of importance to Liechtenstein is the fight against modern slavery and human trafficking. According to estimates, more than 40 million people were enslaved in 2016, and revenues in the amount of USD 150 billion were generated from these illegal practices. After 193 states agreed as part of the 2030 Agenda for Sustainable Development to implement effective measures to combat modern slavery and human trafficking by 2030, the UN Security Council also pointed to the role of international financial institutions in detecting and disrupting financial flows associated with these crimes. At the 73rd Session of the UN General Assembly, Liechtenstein launched a multisectoral Financial Sector Commission on Modern Slavery and Human Trafficking in the form of a public-private partnership. The Financial Sector Commission, convened under the title "Liechtenstein Initiative", brings together decision-makers, experts, and survivors from all around the world and advises on the role of the financial sector with regard to its due diligence, investments, and innovations. The goal is to establish a catalogue of measures for the global financial sector to combat modern slavery and human trafficking. This catalogue of measures is being presented to the international community at the high-level week of the UN General Assembly in September 2019.

### III. Abbreviations

ABGB	General Civil Code
GewG	Business Act
IHCD	International Humanitarian Cooperation and Development
INTERPOL	International Criminal Police Organization
KJG	Children and Youth Act
LED	Liechtenstein Development Service
LGBI	Liechtenstein Law Gazette
OHG	Victims Assistance Act
OSKJ	Ombuds Office for Children and Young People
PGR	Law on Persons and Companies
PolG	Police Act
RHG	Mutual Legal Assistance Act
SIS	Schengen Information System
StGB	Criminal Code
StPO	Code of Criminal Procedure
UN	United Nations
VMR	Human Rights Association

#### **IV. Annex**

92. The Constitution of the Principality of Liechtenstein as well as all Liechtenstein laws and ordinances are available on the website [www.gesetze.li](http://www.gesetze.li) (only in German).

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